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MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C. ONE FINANCIAL CENTER BOSTON, MA 02111				
EXAMINER				
FRITZ, BRADFORD F				
ART UNIT		PAPER NUMBER		
2441				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/727,140

Applicant(s)

HEYMANN ET AL.

Examiner

BRADFORD F. FRITZ

Art Unit

2441

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 5/16/2008 have been fully considered but they are not persuasive.
2. In the remarks, applicant argued in substance that:

(A) Prior art does not teach receiving a termination uniform resource locator (URL) from a client relating to a terminated web application session. The Applicant argues that Bayeh cannot teach the elements of claim 1 because "all of the recited elements in claim 1 occur not at the client, but at a server or other processor that receives the termination URL and then later a request for a new web application session"

As to point (A), the Examiner respectfully disagrees. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that all of the elements of claim 1 occur at the server) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Examiner notes that the word server is not even found once in claim 1, and there is certainly not a distinction in the claims that every element of the claim occurs at the server.

Nevertheless, Bayeh teaches receiving a termination uniform resource locator (URL) from a client relating to a terminated web application session. Bayeh teaches a client that accessed a web session, leaves/terminates the web session and stores information about the session through the use of a cookie or URL rewriting. When the client requests the same site with the information from the last session again in the future, the client provides the server with the correct URL which identifies the previous session through URL rewriting or the session information from a cookie to reproduce the previous web session (*which is the equivalent to the claimed limitation of "receiving a termination URL"*) to the server (column 3, lines 5-50). Bayeh teaches that this information is stored at the client, which the applicant admits, but Bayeh also teaches that this information is sent to the server and received and stored by the server from the client to reproduce the last session. Bayeh even explicitly states that "the state information is **stored on the server using a session object**" (column 4, lines 4-5).

Also, the Examiner notes that the claim ambiguously recites a external session identifier, but provides no point of reference for any distinction. Is the session ID external relative to the client? Is the session ID external relative to the server? or something else?. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

(B) Regarding claims 1 and 12, the prior art does not teach storing any information about a terminated application, except at the client.

As to point (B), the Examiner respectfully disagrees. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., storing information at a place other than the client) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Examiner notes that the word server is not even found once in claim 1 or 12, and there is certainly not distinction in the claims that every element of the claim occurs at the server.

The Examiner notes that claim 12, do not even mention storing anything, and such a limitation is not required by claim 12. Nevertheless, Bayeh explicitly states that "the state information is **stored on the server using a session object**" (column 4, lines 4-5) and describes two different well known approaches for doing this (column 3, lines 5-50).

(C) Bayeh does not in any way include storage of an external session identification and checking of an identifier in a new web application request to determine if the new application request identifies the terminated web application session identified in the ESID.

As to point (C), the Examiner respectfully disagrees. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., storage of an external session

identification and checking of an identifier in a new web application request to determine if the new application request identifies the terminated web application session identified in the ESID.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Examiner notes that claim 1 only states "storing a state related to the terminated web application session associated with the ESID", which does not require storage of an external session identification, the claim only requires the storing a related state.

Nevertheless, Bayeh teaches storage of an external session identification (column 4, lines 4-5, *the Examiner notes that in the Applicant's remarks, the Applicant stated that the session information is stored at the client, however this is only partially correct. Bayeh teaches that it is also stored at the server*) and checking of an identifier in a new web application request to determine if the new application request identifies the terminated web application session identified in the ESID (column 3, lines 5-50).

(D) Prior art does not teach any client specific state information that pertains to a terminated session is either transmitted to or stored at the web application server. As such, Bayeh cannot correctly be alleged to anticipate claim 12.

As to point (D), the Examiner respectfully disagrees. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., transmitting or storing client

specific state information that pertains to a terminated session to a web server) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Examiner notes that the claims do not recite anything about storage at the server or transmission to a web application server. The nearest related limitation in the claims is found in independent claim 18, which recites a “a server platform hosting the server” and having a memory that is merely “configured to store a state”. In other words, claim 18 requires a server platform with some memory so the server platform merely be capable of storing a state, the claim does not even require that any actual storing take place only the ability.

Nevertheless, Bayeh teaches some client specific state information that pertains to a terminated session is either transmitted to or stored at the web application server (column 3, lines 5-50 and column 4, lines 4-5, “*the state information is **stored on the server using a session object***”).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 4-10, and 12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Bayeh et al. (6,098,093).
5. Regarding claim 1, Bayeh disclosed receiving a termination uniform resource locator (URL) from a client relating to a terminated web application session (column 3, lines 20-53 and column 10, lines 10-31), the termination URL including an external session identifier (ESID) identifying the terminated web application session (column 3, lines 20-53 and column 10, lines 10-31); storing a state related to the terminated web application session associated with the ESID (column 3, lines 20-53 and column 10, lines 10-31); receiving a request from the client for a new web application session (column 3, lines 20-53 and column 10, lines 10-31); determining whether the request includes an identifier that corresponds to the ESID of the terminated web application session (column 3, lines 20-53 and column 10, lines 10-31); and if the identifier corresponds to the ESID of the terminated web application session (column 3, lines 20-53 and column 10, lines 10-31), serving the new web application session according to the state related to the terminated web application session (column 3, lines 20-53 and column 10, lines 10-31).
6. Regarding claim 2, Bayeh disclosed wherein storing the state related to the terminated web application further includes storing the ESID identifying the terminated web application (column 3, lines 20-53 and column 10, lines 10-31).
7. Regarding claim 4, Bayeh disclosed receiving an ESID in response to serving the new web application (column 3, lines 20-53 and column 10, lines 10-31).

8. Regarding claim 5, Bayeh disclosed receiving an ESID each time a new web application session is started (column 3, lines 20-53 and column 10, lines 10-31).
9. Regarding claims 6 and 17, Bayeh disclosed wherein the request includes a start URL (column 3, lines 20-53 and column 10, lines 10-31).
10. Regarding claim 7, Bayeh disclosed if the identifier does not correspond to the ESID of the terminated web application session, serving the new web application session in a startup mode (column 3, lines 20-53 and column 10, lines 10-31).
11. Regarding claim 8, Bayeh disclosed minimizing the state related to the terminated web application (column 3, lines 20-53 and column 10, lines 10-31).
12. Regarding claim 9, Bayeh disclosed storing the ESID in a table (column 12, line 59 – column 13, line 10).
13. Regarding claims 10 and 16, Bayeh disclosed determining whether the request includes an identifier that corresponds to the ESID of the terminated web application session further includes mapping the identifier to one or more ESIDs stored in the table (column 12, line 59 – column 13, line 10).
14. Regarding claim 12, Bayeh disclosed receiving a request from a client for a new web application session (column 3, lines 20-53 and column 10, lines 10-31); determining whether the request includes an identifier that corresponds to an external session identifier (ESID) stored in a memory and identifying a terminated web application session (column 3, lines 20-53 and column 10, lines 10-31); if the identifier corresponds to the ESID of the terminated web application session (column 3, lines 20-53 and column 10, lines 10-31), serving the new web application session according to a

state related to the terminated web application session (column 3, lines 20-53 and column 10, lines 10-31); and if the identifier does not correspond to the ESID of the terminated web application session (column 3, lines 20-53 and column 10, lines 10-31), serving the new web application session in a startup mode (column 3, lines 20-53 and column 10, lines 10-31).

15. Regarding claim 13, Bayeh disclosed storing the state related to the terminated web application session (column 3, lines 20-53 and column 10, lines 10-31).

16. Regarding claim 14, Bayeh disclosed receiving the ESID from the client with a termination uniform resource locator (URL) (column 3, lines 20-53 and column 10, lines 10-31).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 3, 11, 18, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayeh in view of Buckingham (6,961,776).

19. Regarding claim 3, Bayeh disclosed receiving the ESID used by the client (column 3, lines 20-53 and column 10, lines 10-31).

However Bayeh does not explicitly teach that the session identifier comes from a portal. Buckingham teaches wherein the session identifier comes from a portal (column

19, lines 45-60 and column 20, lines 10-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the portal features as taught by Bayeh because both are from the same field of endeavor of managing web sessions and in order to maintain state information for a portal.

20. Regarding claims 11 and 20, Bayeh disclosed wherein the ESID is generated by a session manager (column 3, lines 20-53 and column 10, lines 10-31).

However Bayeh does not explicitly teach that the session identifier comes from a portal. Buckingham teaches wherein the session identifier comes from a portal (column 19, lines 45-60 and column 20, lines 10-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the portal features as taught by Bayeh because both are from the same field of endeavor of managing web sessions and in order to maintain state information for a portal.

21. Regarding claim 18, Bayeh disclosed a portal configured to generate a external session identifier (ESID) related to a web application session, and further configured to send the ESID to a server (column 3, lines 20-53 and column 10, lines 10-31); and a server platform hosting the server and having a memory configured to store a state associated with the ESID and a mapping module configured to map a request for a new web application session to one or more ESIDs in the memory (column 3, lines 20-53 and column 10, lines 10-31), the server platform being further configured to serve the new web application session in the state associated with one ESID if the request corresponds to the one ESID (column 3, lines 20-53 and column 10, lines 10-31).

However Bayeh does not explicitly teach that the session identifier comes from a portal. Buckingham teaches wherein the session identifier comes from a portal (column 19, lines 45-60 and column 20, lines 10-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the portal features as taught by Bayeh because both are from the same field of endeavor of managing web sessions and in order to maintain state information for a portal.

22. Regarding claim 19, Bayeh disclosed storing the state related to the terminated web application session (column 3, lines 20-53 and column 10, lines 10-31).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRADFORD F. FRITZ whose telephone number is (571)272-3860. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Caldwell/
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